Office Supreme Court, U.S.
FILED
JUN 4 1959
JAMES R. BROWNING, Clerk

IN THE

Supreme Court of the United States

OCTOBER TERM, A. D. 1958.

No. 944

HERSHEY MFG. CO., an Illinois Corporation,
Appellant,

vs.

BENJAMIN S. ADAMOWSKI, individually and as State's Attorney of Cook County; JOSEPH D. LOHMAN, individually and as Sheriff of Cook County; TIMOTHY J. O'CONNOR, individually and as Commissioner of Police of the City of Chicago; WILLIAM G. MILOTA, individually and as Bailiff of the Municipal Court of Chicago; and LATHAM CASTLE, Attorney General of the State of Illinois,
Appellees.

On Appeal from the United States District Court
For the Northern District of Illinois.

APPLICATION FOR INJUNCTION PENDING FINAL DETERMINATION ON APPEAL.

MAURICE J. WALSH,
105 W. Adams Street,
Chicago 4, Illinois

JOHN J. YOWELL,
G. KENT YOWELL,
29 S. LaSalle Street,
Chicago 3, Illinois,
Attorneys for Appellant.

The Scheffer Press, Inc.—ANdover 3-6850

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, A. D. 1958.

No. 944

HERSHEY MFG. CO., an Illinois Corporation,
Appellant,

vs.

BENJAMIN S. ADAMOWSKI, individually and as State's Attorney of Cook County; JOSEPH D. LOHMAN, individually and as Sheriff of Cook County; TIMOTHY J. O'CONNOR, individually and as Commissioner of Police of the City of Chicago; WILLIAM G. MILOTA, individually and as Bailiff of the Municipal Court of Chicago; and LATHAM CASTLE, Attorney General of the State of Illinois,
Appellees.

On Appeal from the United States District Court
For the Northern District of Illinois.

APPLICATION FOR INJUNCTION PENDING FINAL DETERMINATION ON APPEAL.

To the Honorable Chief Justice of the United States and the Associate Justices of the Supreme Court:

Hershey Manufacturing Co., an Illinois corporation, appellant herein, prays that an injunction issue out of this court to restrain appellees from enforcing against appel-

lant the provisions of a statute of the State of Illinois enacted in 1919 entitled "An Act to Protect All Counties in the State of Illinois in which there are United States Naval Stations and Military Posts of the First Class from Slot Machines and Other Gambling Devices", Chap. 38, Ill. Rev. Stat. 1957, §§ 344, *et seq.*, pending the final determination of the cause by the Supreme Court of the United States. Appellant asks that the injunction restrain appellees from enforcing said statute in respect to appellant's business of manufacturing parts and subassemblies of so-called slot machines for shipment in interstate commerce to Nevada and in foreign commerce in compliance with the Johnson Act, 15 U.S.C., §§ 1171 *et seq.* A suggested form of order is attached hereto as Appendix A.

I.

NATURE OF THE CASE.

This is a suit to restrain the enforcement of the aforesaid Illinois Statute on the ground of its alleged repugnancy to the Constitution of the United States. The challenged statute is repugnant to the due process clause of the Fourteenth Amendment in that the words "of the First Class" contained in Section 344 thereof are undefined in the statute, have no common law meaning, have not been previously judicially construed, and such words render the application of the statute vague and uncertain. The statute is repugnant to the Commerce and Supremacy clauses of the Constitution in that insofar as the statute prohibits the manufacture of parts and subassemblies of so-called slot machines for shipment in interstate and foreign commerce and not for use in Illinois it is an attempt on the part of the State of Illinois to regulate a field preempted by Congress through the enactment of the Johnson Act, 15 U.S.C., §§ 1171 *et seq.* The challenged

statute is repugnant to the Commerce clause and the due process clause of the Fourteenth Amendment in that the statute does not represent a legitimate exercise of the police power. It is also believed that the statute is repugnant to the equal protection clause of the Fourteenth Amendment.

Jurisdiction of the United States District Court for the Northern District of Illinois was invoked under Title 28 U.S.C., § 1331, and a district court of three judges was convened pursuant to the provisions of Chap. 28 U.S.C., §§ 2281 and 2284.

II.

JURISDICTION.

The jurisdiction of the Supreme Court to review this case on appeal rests upon 28 U.S.C., § 1253. Appellant has filed its jurisdictional statement. Jurisdiction to issue the injunction requested is an inherent power of this Court, and is recognized in Rule 62 g of the Federal Rules of Civil Procedure. An application for an injunction pending the final determination of the cause by the Supreme Court of the United States was made to the district court of three judges below and denied on April 14, 1959, the circuit judge assigned to the district court dissenting. An application for an injunction pending the final determination was made to the circuit justice, the Honorable Tom C. Clark, Associate Justice of the Supreme Court, prior to the filing of the jurisdictional statement and docketing of the case on appeal and was denied by him on April 24, 1959. Appellant has not made application to any other justice.

III.

THE RULING BELOW AND THE REASON FOR APPEAL.

The district court of three judges below, the circuit judge dissenting, held that it lacked jurisdiction to grant the relief requested and dismissed the complaint as amended on motions of the defendants, stating that "the single statute challenged in this complaint would seem to violate the due process clause of the Fourteenth Amendment of the United States Constitution" and that "the Illinois Supreme Court has not yet so interpreted it", and that the complaint "asks a decision on the merits concerning unresolved questions of state law and questions of constitutional law never before decided by the state Supreme Court", and although finding that the complaint presents a substantial federal question "for a single district judge" held that the complaint does not present a substantial "constitutional claim". The court also held that even if it did have jurisdiction plaintiff was not properly in equity since no immediate and irreparable harm will occur to the plaintiff if the court "does not proceed". The court said that "plaintiff has many adequate remedies at law". The dissenting judge said that the district court had jurisdiction citing *Doud* v. *Hodge*, 350 U.S. 485. This decision appears to be in direct conflict with the holding of this court in *Doud* v. *Hodge*, 350 U.S. 485, *Toomer* v. *Witsell*, 334 U.S. 385, and other cases cited in the jurisdictional statement, and it presents important questions of federal jurisdiction.

IV.

REASONS FOR REQUESTING INJUNCTION.

Appellant and its corporate predecessor had manufactured, among other things, parts and subassemblies for slot machines in Chicago, Illinois, for more than forty

years without state interference. With respect to that phase of its business relating to gambling devices appellant manufactures only parts and subassemblies of slot machines intended for shipment to Nevada, where the assembly and use of slot machines is lawful, and to foreign countries, and appellant has complied with the provisions of the Johnson Act, 15 U.S.C. §§ 1171 *et seq.* This suit was precipitated by seizures of appellant's subassemblies and parts of slot machines which were in the custody of Transworld Airlines, an interstate freight carrier, enroute to Nevada, and located at Midway Airport in Chicago, Illinois and seizure of other parts and subassemblies of slot machines manufactured on order for shipment to Nevada, but still located at appellant's factory in Chicago, Illinois, and threatened further seizures, all pursuant to the challenged statute. A temporary restraining order was issued by the emergency motion judge in summer vacation pursuant to the provisions of Title 28 U.S.C. § 2284(3), after taking evidence and upon findings that irreparable injury would otherwise result to plaintiff's property and business. After the memorandum and order of the court below on February 9, 1959 dismissing the suit, the court of three judges enjoined enforcement of the challenged Act pending the determination of a motion to vacate the order of dismissal, to deny the motions to dismiss and to enjoin enforcement of the challenged statute. The motion to vacate was denied on April 14, 1959. The temporary injunction was dissolved and the court below, the circuit judge dissenting, refused to grant a restraining order pending either final determination of the case by the Supreme Court of the United States or pending application to an individual justice of this Court. Judge Campbell, one of the district judges, stated that he was opposed to any extension at all. He said "I think the protection of this court has been extended without any

authority long enough. I see no reason for extending it further." Judge Hoffman, the other district judge, stated "I am in accord with that. I don't think that the damage under this particular statute is or might be extraordinary or irreparable. I don't think I share your views that this company will be put out of business as a result of this statute."

Judge Campbell then stated: "No such irreparable harm can occur within the short time in which you could go to Justice Clark if you want to. I don't think the State's Attorney physically could ruin your business within a week even if he wanted to. I think, as I say, the protection of this court has been extended without any authority at all entirely too long and I see no great irreparable harm in this type of business. I am against any extension at all."

Thereafter, on April 15, 1959, and within 24 hours of the denial of the request for a temporary injunction pending appeal or pending application to this Court (which was by the two district judges, the circuit judge dissenting) the defendant State's Attorney's police arrested Louis F. Urban, the president of the plaintiff corporation, on a charge of violating the challenged statute upon an information, and in a search purportedly incident to his arrest seized patterns, parts and books and records of plaintiff pertaining not only to the manufacture of parts and subassemblies of gambling devices, but other phases of plaintiff's business not related in any way to gambling devices.

Since said date plaintiff has ceased the manufacture of parts and subassemblies of slot machines, has laid off 28 employees engaged in such manufacture and has been unable to fill orders received from the State of Nevada and foreign countries. Further, the United States Armed

Forces have determined that slot machines can be used overseas and appellant has been unable to compete in the market for such slot machine parts and sub assemblies thus created. See Supporting Affidavit with Exhibits attached, Appendix B hereto.

On May 19, 1959, in *People of the State of Illinois* v. *Buckley Manufacturing Co., a corporation, and Hubert Buckley,* Nos. 58 MC 36047 and 58 MC 32040 respectively, in the Municipal Court of Chicago, Judge Alexander J. Napoli of the Municipal Court of Chicago held that the statute here challenged is vague, indefinite and unconstitutional and granted defendants' motions to quash or dismiss the informations or complaints. Nevertheless appellees continue to threaten to enforce said statute against appellant and appellant has been irreparably injured and is continuing to be irreparably injured, and will continue to be irreparably injured unless a temporary injunction restraining appellees from enforcing said unconstitutional statute is issued by this Court.

The issuance of such injunction cannot injure the defendants.

Wherefore appellant prays that this Court enjoin the enforcement of said statute and the destruction of the property heretofore seized pending a final determination of this cause.

Respectfully submitted,

MAURICE J. WALSH
105 W. Adams St.,
Chicago, Ill.
JOHN J. YOWELL.
G. KENT YOWELL
29 S. LaSalle St.,
Chicago 3, Ill.
Counsel for Appellant

APPENDIX "A".

(Suggested Form of Order)

IN THE SUPREME COURT OF THE UNITED STATES
October Term, A. D. 1958

HERSHEY MANUFACTURING CO., an Illinois corporation,
Appellant,

vs.

BENJAMIN S. ADAMOWSKI, individually and as State's Attorney of Cook County, JOSEPH D. LOHMAN, individually and as Sheriff of Cook County, TIMOTHY J. O'CONNOR, individually and as Commissioner of Police of the City of Chicago, WILLIAM G. MILOTA, individually and as Bailiff of the Municipal Court of the City of Chicago, and LATHAM CASTLE, Attorney General of the State of Illinois,
Appellees.

No. 944

Whereas the appellant has applied for an injunction restraining the appellees during the pendency of this cause and until its final determination or until otherwise ordered from in any way enforcing the provisions of a statute of the State of Illinois entitled "An Act to Protect all Counties in the State of Illinois in which there are United States Naval Stations and Military Posts of the First Class from Slot Machines and other Gambling Devices", Chap. 38, Ill. Rev. Stat. 1957 § 344, *et seq*, with respect to appellant's business of manufacturing parts and subassemblies of so-called slot machines for shipment to the State of Nevada and foreign countries, and

Whereas, without such injunction appellant is in immediate danger of suffering irreparable injury and the granting of such injunction will not injure appellees and such injunction will maintain the status quo;

Now, Therefore, It Is Ordered by the Court that the prayer for injunction pending the appeal in this Court until the same is finally disposed of, or until the Court orders to the contrary, be, and the same is hereby granted.

Therefore it is ordered that an injunction be and the same is hereby directed to issue restraining Benjamin S. Adamowski, State's Attorney of Cook County, Joseph D. Lohman, Sheriff of Cook County, Timothy J. O'Connor, Commissioner of Police of the City of Chicago, William G. Milota, Bailiff of the Municipal Court of the City of Chicago, and Latham Castle, Attorney General of the State of Illinois, appellees herein, their agents, servants and attorneys, and each and all of them severally and as a body, from enforcing the provisions of a statute of the State of Illinois entitled "An Act to Protect all Counties in the State of Illinois in which there are United States Naval Stations and Military Posts of the First Class from Slot Machines and Other Gambling Devices", Chap. 38, Ill. Rev. Stat. 1957, §344, et seq, against appellants business of manufacturing parts and subassemblies of so-called slot machines for delievery in interstate commerce and foreign commerce in compliance with the Johnson Act, Title 15, U.S.C. §1171, et seq., and the injunction thus directed to be issued to remain in full force and effect until the final decision of this Court or until the same is modified or changed by some further order.

Appendix B

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

LOUIS F. URBAN, being duly sworn on oath, says that he has read the foregoing application for an injunction; that he is familiar with the matters relating to appellant's business, the seizures of merchandise and records and his arrest therein described, and with respect to all of said matters the allegations are true in substance and in fact.

Affiant further states that Jennings & Company, a division of Hershey Manufacturing Company, plaintiff herein, has received orders for parts and subassemblies of so-called slot machines for delivery to armed forces installations overseas, which orders cannot be filled by reason of appellees' continued threats of seizures of appellant's manufactured products.

Affiant further states that copies of some of the orders received are attached hereto as exhibits.

Further affiant saith not.

Louis F. Urban

SUBSCRIBED AND SWORN to before me this 1st day of June, A. D. 1959.

Lillian J. Vance
Notary Public.

FORM SP1003

Purchase Order

MAR 3 19

THIS NUMBER MUST APPEAR ON ALL INVOICES, PKGS., & CORRESPONDENCE RELATIVE TO THIS SHIPMENT.
NO. 01811

FROM: mat-matic Incorporated — 1009 E. Baltimore St., Baltimore 2, Md.

TO: JENNINGS & CO.
4309 W. LAKE ST.
CHICAGO, ILLINOIS

EAstern 7-5745 & 7-5746

Freight Lines Nly.

DATE MAR. 2, 59 WHEN SHIP IMMEDIATELY VIA CHICAGO EXPR... OUTLET

SHIP TO W. J. BYRNES & CO.
25 BROADWAY BY NY
FOR EXPORT TO .
W.C.C. CLUB
DET 30, TUSLOG
ADANA, TURKEY

New Pier

QUANTITY	NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
2	5A / 25A	ELDORADO BUCKAROOS 4 REEL GOMB. 5000-1	642.00 Ea	1284 00
		GLASS TO READ 4 BUCKAROOS $125.00 GUARANTEED		15 00
		JACKPOT IMPRINTED BELOW THE INDIAN HEAD		1299.00
		WITH LIGHTS 220V 50 CYCKES		6 00
		PLUS $7.50 EACH FOR SPEC. TERM.		
		LESS $25 EA FOR G.T. JP		125 00
				312 75
		LESS 25%		938.25

IN THE BODY OF THE BILL OF LADING WRITE PHONE WHITEHALL 3-4740 FOR DELIVERY INSTRUCTIONS.

JSB.

(signed) OK

NOTE- DUE TO THE SPECIAL REQUIREMENTS AND URGENCIES OF THE EXPORT TRADE, WE MUST INSIST ON YOUR IMMEDIATE ACKNOWLEDGEMENT OF THIS PURCHASE ORDER. PLEASE FORWARD ENCLOSED REPLY CARD AT ONCE.

FORM (FMB)

Purchase Order

THIS NUMBER MUST APPEAR ON ALL INVOICES, PKGS., & CORRESPONDENCE RELATIVE TO THIS SHIPMENT.

NO 01956

FROM: Mat-Matic Corporation — 1009 E. Baltimore St., Baltimore 2, Md.

EAstern 7-5745 & 7-5746

APR 3 - 1959

SOLD TO: JENNINGS & CO.
4309 N. LAKE ST.
CHICAGO, ILLINOIS

DATE: MARCH 30, 59 WHEN SHIP: IMMEDIATELY VIA: AIR FREIGHT COLLECT
INSURE IN THE AMOUNT OF LIST PRICE:

SHIP TO:
PIONEER R.C.O. OPNS. WEAS
640th ACW SQDN.
c/o S/SGT. CARL J. HUGHES, SECRET'RY
WARNOR AIR FORCE BASE
STEPHENVILLE, NEWFOUNDLAND

QUANTITY	NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
		PLEASE SHIP THE ABOVE VIA TRANS CANADA AIR LINES CO. OF CHICAGO. THE FREIGHT IS TO BE COLLECT AND INSURE IN AMOUNT OF LIST PRICE		
1		BUCKAROO CHIEF 4-REELER WITH LIGHTS 110V-60-CYCLES 5¢ MODEL 5000 to 1 JACKPOT COMBINATION, WITH FULL DISCRIPTION OF JACKPOTS PAID, HOW MUCH ETC. GUARANTEED JACKPOT	771 00	
1		STAR CHIEF WITH MULTIPLE JACKPT COMBINATION 10¢ MODEL WITH FULL DISCRIPTION OF JACKPOTS PAID, HOW MUCH ETC. WITH LIGHTS 110V 60-CYCLES GUARANTEED JACKPOT	670 00	
			1441 00	
		LESS 3 1/2% EQ FREIGHT IP	50 00	
		LESS 25%	1391 00	
			347 75	
			1043 25	

JS Buffaloe

Disc.

P.O. 01672

NOTE— DUE TO THE SPECIAL REQUIREMENTS AND URGENCIES OF THE EXPORT TRADE, WE MUST INSIST ON YOUR IMMEDIATE ACKNOWLEDGMENT OF THIS PURCHASE ORDER. PLEASE FORWARD ENCLOSED REPLY CARD AT ONCE.

FORM 4

Purchase Order

APR 23 1959

THIS NUMBER MUST APPEAR ON ALL INVOICES, PKGS., & CORRESPONDENCE RELATIVE TO THIS SHIPMENT.
NO. 00184

FROM Mercantile Incorporated
1009 E. Baltimore St.,
Baltimore 2, Md.

TO JENKINS & CO.
4309 W. LAKE ST.
CHICAGO, ILLINOIS

EAstern 7-5745 & 7-5746

Motor Freight - Collect

DATE APRIL 21, 1959 WHEN SHIP IMMEDIATELY VIA ~~CHICAGO EXPRESS FOR COLLECT~~

SHIP TO N.J. JENKINS & CO.
25 BROADWAY NY 5Y
FOR EXPORT TO
N.C.O. OPEN MESS
ROYAL AIR FORCE KIRKNEWTON
U.S.A.F., MIDLOTHIAN, SCOTLAND

QUANTITY	NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
2		SUPER DELUXE STAR CHIEF EX (2 SHILLING) 80-20		
		WITH LIGHTS GUARANTEED JACKPOT 230V 50-C.		
2		SUPER DELUXE STAR CHIEF (1 SHILLING) 80-20		
		WITH LIGHTS GUARANTEED JACKPOT 230V 50-C		
2		SUPER DELUXE STAR CHIEF (6 PENCE) 80-20		
		WITH LIGHTS GUARANTEED JACKPOT 230V 50-C		
		MASTER KEY BACK DOOR & CASH BOXES (ALL KEYED AL		

IN THE BODY OF THE CHICAGO EXPRESS BILL OF LADING WRITE: PHONE WHITEHALL 3-4760 FOR DELIVERY INSTRUCTIONS.

JSB

H.O. 01674
01671
issued

NOTE- DUE TO THE SPECIAL REQUIREMENTS AND URGENCIES OF THE EXPORT TRADE, WE MUST INSIST ON YOUR IMMEDIATE ACKNOWLEDGEMENT OF THIS PURCHASE ORDER. PLEASE FORWARD ENCLOSED REPLY CARD AT ONCE.

FORM 57HB

Purchase Order

THIS NUMBER MUST APPEAR ON ALL INVOICES, PKGS., & CORRESPONDENCE RELATIVE TO THIS SHIPMENT.
NO. C0225

FROM: [redacted] 1009 E. Baltimore St., Baltimore 2, Md.

TO: JENKINGS & CO.
4309 W. LAKE ST.
CHICAGO, ILLINOIS

EAstern 7-5745 & 7-5746

DATE IMMEDIATELY WHEN SHIP APR. 28,59 VIA [redacted] WILL ADVISE NAME OF FREIGHT CO. NEXT P.O.

SHIP TO TOKYO CIVILIAN OPER MISS
APO 94, P.M. SAN FRANCISCO. CALIF.

QUANTITY	NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
1		5¢ STAR CHIEF WITHOUT LIGHTS GUARANTEED JP 80-82%	632 00	
1		5¢ BUCKAROO FC LIGHTS GUARANTEED JP 80-82%	746 00	
		THEY WANT A 37.50 GUARANTEED JP CARD ON EACH. CHINE	1378 00	
		JUDGE BUCKAROO ACCORDINGLY.	50 00	
		ATTACHED FIND COIN USED BY THE CUSTOMER.	LESS 2½% DR for CT	
		LESS 25%.	13	8,94
		PARCEL POST-SPECIAL HANDLING. THIS CUSTOMER IS BUILDING A NEW CLUB AND WILL REQUIRE ANOTHER 25 MACHINES WITHIN THE NEXT SIX MONTHS. IT IS IMPERATIVE THAT THESE MACHINES ARRIVE WITHOUT DAMAGE AS THIS IS OUR FIRST ORDER. IF NEED BE PLEASE CONSULT A PACKING CO. AND TO ENSURE PROPER PACKING. IF THESE MACHINES ARRIVE DAMAGED, THERE GOES OUR CHANCES. PLEASE HELP US.	33	2 00
			9%	6.00

JOE.

H 0 1672

NOTE - DUE TO THE SPECIAL REQUIREMENTS AND URGENCIES OF THE EXPORT TRADE, WE MUST INSIST ON YOUR IMMEDIATE ACKNOWLEDGEMENT OF THIS PURCHASE ORDER. PLEASE FORWARD ENCLOSED REPLY CARD AT ONCE.

FORM SPMP

Purchase Order 8 1959

THIS NUMBER MUST APPEAR ON ALL INVOICES, PKGS., & CORRESPONDENCE RELATIVE TO THIS SHIPMENT.
NO. C0310

FROM: W. J. BYRNES & CO.
1009 E. Baltimore St.,
Baltimore 2, Md.

TO: JENKINS & CO.
A309 W. LAKE ST.
CHICAGO, ILLINOIS

EASTERN 7-5745 & 7-5746

M.T. FOR FREIGHT COLLECT

DATE MAY 6, 59 WHEN SHIP IMMEDIATELY VIA ~~CHGS GO SEP BSS COLLECT~~

SHIP TO W. J. BYRNES & CO.
25 BROADWAY NY NY
FOR EXPORT TO
TRANSPORTATION OFFICER ISKENDRUN
~~FOR: ENGINEER H.Q.U.S. OFSP USCO~~
TUSLOG DET. 10
ISKENDRUN, TURKEY

QUANTITY	NUMBER	DESCRIPTION	UNIT PRICE		AMOUNT
2		5~~0~~ BUCKAROOS WITHOUT LIGHTS GUAR JP NAME GLASS TO READ 325 #3 COMB.	746	Ea	1492.00
2		10~~0~~ BUCKAROOS WITHOUT LIGHTS GUAR JP NAME GLASS TO READ 350 #3 COMB.	757	Ea	1514.00
2		25~~0~~ BUCK-ROOS WITHOUT LIGHTS GU R JP NAME GLASS TO ~~READ~~ READ 1125.00 #3 COMB.	769	Ea	1538.00
					4544.00
		LESS 25 EA F.O.T.			150.00
					4394.00
		LESS 25%			1098.50
					3295.50

IN THE BODY OF THE BILL OF LADING WRITE: PHONE WHITEHALL 3-4740 FOR DELIVERY INSTRUCTIONS.

Joe.

40 2155

NOTE- DUE TO THE SPECIAL REQUIREMENTS AND URGENCIES OF THE EXPORT TRADE, WE MUST INSIST ON YOUR IMMEDIATE ACKNOWLEDGEMENT OF THIS PURCHASE ORDER. PLEASE FORWARD ENCLOSED REPLY CARD AT ONCE.

FORM 9-1955

Purchase Order

MAY 8 1959

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACK.., & CORRESPONDENCE RELATIVE TO THIS SHIPMENT.
NO. C0311

FROM: mel-matic incorporated
1009 E. Baltimore St.,
Baltimore 2, Md.

EAstern 7-5745 & 7-5746

TO: JENNINGS & CO.
4309 W. LAKE ST.
CHICAGO, ILLINOIS

DATE MAY 6, 1959 WHEN SHIP SEE INSTRUCTIONS VIA ~~CHICAGO EXPRESS COLLECT~~ Motorfreight Collect

SHIP TO W. J. BYRNES & CO.
25 BROADWAY NY NY
FOR EXPORT TO
N.C.O. OPEN MESS ECH 1712
METZ, FRANCE (US ARMY)

QUANTITY	NUMBER	DESCRIPTION	UNIT PRICE		AMOUNT	
2		5f SUN CHIEFS NO LIGHTS GUARANTEED JP	585	00 EA	1170	00
1		10f " " " " " "	599	00	599	~~00~~
		LESS 25% DISCOUNT			1769	~~00~~
		LESS 25% DISC			73	~~00~~
					1696	~~00~~
					423	50
		THIS ORDER NOT BE PROCESSED UNTIL WE GIVE YOU THE WORD. THIS IS FOR AN ARMY CLUB AND THEY DO NOT HAVE AUTHORIZATION TO PURCHASE AS OF THIS TIME WHEN AUTHORIZATION COMES PLEASE SHIP AS SOON AS POSSIBLE.			1270	50
		We Will Tell You When				
		DO NOT PROCESS THIS ORDER				
		DO NOT PROCESS THIS ORDER.				

JSB

Write up Order and Take
" " HOLD

1270.01 19

NOTE— DUE TO THE SPECIAL REQUIREMENTS AND URGENCIES OF THE EXPORT TRADE, WE MUST INSIST ON YOUR IMMEDIATE ACKNOWLEDGEMENT OF THIS PURCHASE ORDER. PLEASE FORWARD ENCLOSED REPLY CARD AT ONCE.

FORM 07X3B

Purchase Order

MAY 11 1959

THIS NUMBER MUST APPEAR ON ALL INVOICES, PKGS., & CORRESPONDENCE RELATIVE TO THIS SHIPMENT.

NO. C0303

FROM: mat-matic Incorporated — 1009 E. Baltimore St., Baltimore 2, Md.

EAstern 7-5745 & 7-5746

TO: JENKINS & CO.
A309 N. LAKE ST.
CHICAGO, ILLINOIS

DATE XXXXX 5-8-59 WHEN SHIP IMMEDIATELY VIA INTERST TE MOTOR LINES COLLECT XXXXXXXXXXXXXXXXXXXX

SHIP TO W. J. STENES & CO. INC.
25 BROADWAY, NY
FOR EXPORT TO:
EMILY CLUB
U.S.A.F.
R.A.F. STATION STRUBY, ENGLAND

QUANTITY	NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
1		SKIPPER SUPER DELUXE STAR CHIEF WITH LIGHTS		670 00
2		ONE SHILLING SUPER DELUXE STAR CHIEF WITH LIGHTS	695.00	1390 00
1		TWO SHILLING SUPER DELUXE STAR CHIEF WITH LIGHTS		877 00
		ALL GUARANTEED JACKPOTS 80/20 VOLTAGE 220V		2937 00

IN THE BODY OF THE CHICAGO EXPRESS BILL OF LADING WRITE: PHONE WHITEHALL 3-4740 FOR DELIVERY INSTRUCTIONS.

JSB

EXPORT BOX SIZE 31x22x21
135 lbs each

#0117

NOTE- DUE TO THE SPECIAL REQUIREMENTS AND URGENCIES OF THE EXPORT TRADE, WE MUST INSIST ON YOUR IMMEDIATE ACKNOWLEDGEMENT OF THIS PURCHASE ORDER. PLEASE FORWARD ENCLOSED REPLY CARD AT ONCE.

1

FORM 57459

Purchase Order

MAY 11 1959

THIS NUMBER MUST APPEAR ON ALL INVOICES, PKGS., & CORRESPONDENCE RELATIVE TO THIS SHIPMENT.

NO. 06323

FROM: Metzmetts Correspondence

1009 E. Baltimore St., Baltimore 2, Md.

EAstern 7-5745 & 7-5746

TO: JENNINGS & CO.
4309 W. LAKE ST.
CHICAGO, ILLINOIS

DATE MAY 8, 1959 WHEN SHIP IMMEDIATELY VIA INTERSTATE MOTOR LINES COLLECT

SHIP TO V. J. BYRNES & CO.
25 BROADWAY NY NY
FOR EXPORT TO
OFFICERS OPEN MESS
CAMP DES LOGES
ST. GERMAIN EN LAY, FRANCE

QUANTITY	NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
1		5¢ SUPER DELUXE STAR CHIEF NO LIGHTS GUAR JP	632 50	
1		5¢ " " " " " " " "	852 00	
			1484 50	
		LESS 25% FAGTJP	434 50	
		THESE PEOPLE HAVE PURCHASED MACHINES BEFORE PLEASE CHECK TO SEE IF I HAVE RECEIVED A NO P.O. PERMIT NO		
		LESS 25% DISC	358 50	
			1075 50	

IN THE BODY OF THE BILL OF LADING WRITE UPON ARRIVAL IN NEW YORK PHONE WHITEHALL 3-4740 FOR DELIVERY INSTRUCTIONS.

JSB.

CRATE SIZE 31x22x21
WEIGHS 135 lbs

PO 11761

NOTE— DUE TO THE SPECIAL REQUIREMENTS AND URGENCIES OF THE EXPORT TRADE, WE MUST INSIST ON YOUR IMMEDIATE ACKNOWLEDGEMENT OF THIS PURCHASE ORDER. PLEASE FORWARD ENCLOSED REPLY CARD AT ONCE.

#1

MAY 18 1959

Purchase Order

THIS NUMBER MUST APPEAR ON ALL INVOICES, PKGS., & CORRESPONDENCE RELATIVE TO THIS SHIPMENT.

NO. 00551

FROM: [illegible]

1009 E. Baltimore St.,
Baltimore 2, Md.

EAstern 7-5745 & 7-5746

TO: JENNINGS & CO.
4309 N. LAKE ST.
CHICAGO, ILLINOIS

DATE MAY 14, 1959 WHEN SHIP SEE INSTRUCTIONS VIA SEE INSTRUCTIONS

SHIP TO HIT PARADE G.M.B.H.
PALMENSTEIN/TAUNUS, GERMANY

KEY BD TSM CB TION

QUANTITY	NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
40	ROSE PLASTIC	5¢ SUPER DELUXE JENNINGS SLANT TOP [illegible] No LIGHTS	515 ⁰⁰	
20	" "	10¢ " " " " " " "	577 ⁰⁰	
15	" "	25¢ " " " " " " "	615 ⁰⁰	
1		25¢ SPARE PARTS KIT 118.14		
1		10¢ SPARE PARTS KIT 118.14	LESS 20% DISCOUNT	
1		5¢ SPARE PARTS KIT 118.14		
		AUTOMATIC JACKPOT [illegible] SLUG-OFF		
		ALL MACHINES HAVE 4 REELS 80-20% PAY LIGHTS		
		FOR ADDITIONAL INSTRUCTIONS SEE FOLLOW (5) 25¢ MACHINES		
		(2) 10¢ 4 CHUTES AND (15) 5¢ MACHINES TO BE READY FOR [illegible]		
		WITHIN SEVEN DAYS AFTER USE OF SLOT MACHINES BY THE ARMY AND [illegible]		
		BEEN AUTHORIZED. BALANCE TO BE READY FOR SHIPMENT WITHIN [illegible]		
		LATER THAN THREE WEEKS AFTER PUBLICITY IS RELEASED AS ABOVE. THIS ORDER IS VALID ONLY AFTER DIRECTIVE AUTHORIZING OPERATION OF SLOT MACHINES HAS BEEN ISSUED BY THE ARMY.		

5/13/59 OK X Pelaar

THIS IS NOT AN ORDER UNTIL ARMY AUTHORIZES USE OF MACHINES. WE WILL NOTIFY YOU BY TELEGRAM WHEN ORDER.

IS THAT TO KNOW NOW IF YOU CAN MEET THE ABOVE REQUIREMENTS. PLEASE REPLY

JSB.

NOTE— DUE TO THE SPECIAL REQUIREMENTS AND URGENCIES OF THE EXPORT TRADE, WE MUST INSIST ON YOUR IMMEDIATE ACKNOWLEDGEMENT OF THIS PURCHASE ORDER. PLEASE FORWARD ENCLOSED REPLY CARD AT ONCE.

FORM 97H83

Purchase Order

20 1959

THIS NUMBER MUST APPEAR ON ALL INVOICES, PKGS., & CORRESPONDENCE RELATIVE TO THIS SHIPMENT.
NO. #1

FROM: [illegible] 1009 E Baltimore St., Baltimore 2, Md.

EAstern 7-5745 & 7-5746

TO: JENNINGS & CO.
4309 N. LAKE ST.
CHICAGO, ILLINOIS

DATE MAY 18, 1959 WHEN SHIP SEE BELOW VIA INTERSTATE MOTOR LINES COLL.

SHIP TO W. J. BYRNES & CO.
25 BROADWAY AT NY
FOR EXPORT TO
HOTEL COLUMBIA
JAGDSTR 8 (U.S. ARMY)
MUNICH 19, GERMANY

QUANTITY	NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
1		5¢ JENNINGS ELDORADO SUN CHIEF GREEN PANEL GUAR JP		
1		5¢ " " STAR CHIEF RED PANEL DROP JP		
1		10¢ " " SUN CHIEF GREEN PANEL GUAR. JP.		
1		10¢ " " BUCKAROO RED PANEL DROP JP		
1		25¢ " " SUN CHIEF RED PANEL DROP JP		
1		NO LIGHTS 3-REELERS 90/20 4-REELER 82/18		
		USE YOUR JUDGEMENT ON BUCKAROO CC18.		
		THIS IS AN ARMY ORDER AND YOU ARE NOT TO SHIP UNTIL APPROVAL IS RECEIVED. WE WILL TELL YOU WHEN TO SHIP		

IN THE BODY OF THE INTERSTATE MOTOR LINES BILL OF LADING WRITE UPON ARRIVING IN NEW YORK PHONE WHITEHALL 3-4740 FOR DELIVERY INSTRUCTIONS.

JSB.

NOTE- DUE TO THE SPECIAL REQUIREMENTS AND URGENCIES OF THE EXPORT TRADE, WE MUST INSIST ON YOUR IMMEDIATE ACKNOWLEDGEMENT OF THIS PURCHASE ORDER. PLEASE FORWARD ENCLOSED REPLY CARD AT ONCE.

FORM 9-882

Purchase Order

MAY 20 1959

THIS NUMBER MUST APPEAR ON ALL INVOICES, PKGS., & CORRESPONDENCE RELATIVE TO THIS SHIPMENT.
NO. C0360

FROM: mathematic enterprises — 1009 E. Baltimore St., Baltimore 2, Md.

EAstern 7-5745 & 7-5746

TO: JENNINGS & CO.
4309 N. LAKE ST.
CHICAGO, ILLINOIS

CHANGE NOTICE 5/21/59 LFU
CALL MR BRENNER PRIOR TO SHIPPING

DATE MAY 19, 1959 WHEN SHIP SEE BELOW VIA ~~INTERSTATE MOTOR FRT LINES COM.~~

SHIP TO W.J. BYRNES & CO.
~~25 BRD-WAY NY NY~~
FOR EXPORT TO
OFFICERS & CIVILIAN DEPENDENTS
U.S. ARMY EDN 286
MUNICH, GERMANY

AIR CARGO PREPAID
SEABOARD WESTERN

QUANTITY	NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
2		5¢ ELDORADO SUN CHIEFS		
1		5¢ ELDORADO BUCKAROO		
0 2		~~10¢ ELDORADO SUN CHIEFS~~		
1		10¢ ELDORADO BUCKAROO		
1 2		25¢ ELDORADO SUN CHIEFS		
1 1		25¢ ELDORADO BUCKAROO		
		PLEASE ASSORT THE PANEL COLORS		
		~~[illegible]~~ GUARANTEED JACKPOTS		
		SUN CHIEFS 80/20 BUCKAROO 82/18 USE DISCRETION		
		ON BUCKAROO REEL COMBINATIONS NO LIGHTS		

IN THE BODY OF THE BILL OF LADING WRITE: UPON ARRIVAL IN NEW YORK PHONE WHITEHALL 3-4740 FOR DELIVERY INSTRUCTIONS

(NOTE) THIS IS AN ARMY ORDER. YOU ARE NOT TO SHIP UNTIL WE RECEIVE O'KAY. JSB.

NOTE- DUE TO THE SPECIAL REQUIREMENTS AND URGENCIES OF THE EXPORT TRADE, WE MUST INSIST ON YOUR IMMEDIATE ACKNOWLEDGEMENT OF THIS PURCHASE ORDER. PLEASE FORWARD ENCLOSED REPLY CARD AT ONCE.

(FORM 57182)

Purchase Order

MAY 20 1955

THIS NUMBER MUST APPEAR ON ALL INVOICES, PKGS., & CORRESPONDENCE RELATIVE TO THIS SHIPMENT.

NO. 00367

FROM: [illegible]

1009 E. Baltimore St.
Baltimore 2, Md.

EAstern 7-5745 & 7-5746

TO: JENNINGS & CO.
4339 N. LAKE ST.
CHIC GO, ILLINOIS

DATE MAY 19, 1955 WHEN SHIP SEE BELOW VIA INTERST TE MOTOR FAT LINES C LL.

SHIP TO T.J.BYRNES & CO.
25 BROADWAY NY NY
FOR EXPORT TO
KALB CLUB US ARMY
(JOHNSON BARRACKS
FURTH-NURNBURG, GERMANY

QUANTITY	NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
6		5¢ SUPER DELUXE SUN CHIEFS		
6		10¢ SUPER DELUXE SUN CHIEFS		
5		25¢ SUPER DELUXE STAR CHIEFS		
		GUARANTEED JACKPOTS NO LIGHTS		
		~~XXXXXXX~~ 80/20		

IN THE BODY OF THE BILL OF L DING .RITE: UPON REACHING NEW YORK PHONE .HITEHALL 3-4740 FOR DELIVERY INSTRUCTIONS.

PLEASE NOTE: THIS IS AN ARMY ORDER AND IS NOT TO BE SHIPPED UNTIL WE RECEIVE APPROVAL. WE WILL TELL YOU WHEN TO SHIP THIS ORDER.

NOTE- DUE TO THE SPECIAL REQUIREMENTS AND URGENCIES OF THE EXPORT TRADE, WE MUST INSIST ON YOUR IMMEDIATE ACKNOWLEDGEMENT OF THIS PURCHASE ORDER. PLEASE FORWARD ENCLOSED REPLY CARD AT ONCE.

FORM STMD

Purchase Order

MAY 20 19[illegible]

THIS NUMBER MUST APPEAR ON ALL INVOICES, PKGS., & CORRESPONDENCE RELATIVE TO THIS SHIPMENT.
NO. 10371

FROM [redacted]

1009 E. Baltimore St.,
Baltimore 2, Md.

EAstern 7-5745 & 7-5746

TO: JENNINGS & CO.
430? N. LAKE ST.
CHICAGO, ILLINOIS

DATE MAY 19, 1959 WHEN SHIP SEE BELOW VIA INTERSTATE MOTOR FRT COLLECT

SHIP TO W.J. BYRNES CO.
25 BROADWAY NY NY
FOR EXPORT TO
24th INF. DIV. A.C.O. & OPN MESS
AUGSBURG, GERMANY

QUANTITY	NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
20		5¢ ELDOR/DO SUN CHIEFS Light ?		
15		10¢ " " "		
15		25¢ " " "		
		ALL DROP JACKPOTS 80-20 ASSORTED PANEL COLORS		

IN THE BODY OF THE BILL OF LADING WRITE PHONE WHITEHALL 3-4740 FOR DELIVERY INSTRUCTIONS UPON RE CHING NEW YORK

NOTE: THIS IS AN ARMY ORDER AND IS NOT TO BE PROCESSED UNTIL WE TELL YOU.

NOTE- DUE TO THE SPECIAL REQUIREMENTS AND URGENCIES OF THE EXPORT TRADE, WE MUST INSIST ON YOUR IMMEDIATE ACKNOWLEDGEMENT OF THIS PURCHASE ORDER. PLEASE FORWARD ENCLOSED REPLY CARD AT ONCE.

FORM 51383

Purchase Order

MAY 20 1959

THIS NUMBER MUST APPEAR ON ALL INVOICES, PKGS., & CORRESPONDENCE RELATIVE TO THIS SHIPMENT.
NO. 60370

FROM [redacted]

1009 E. Baltimore St.,
Baltimore 2, Md.

EAstern 7-5745 & 7-5746

TO JENNINGS & CO.
4329 N. LAKE ST.
CHICAGO, ILLINOIS

DATE MAY 19, 1959 WHEN SHIP SEE BELOW VIA INTERST TE MOTOR FRT COLLECT

SHIP TO A.J. BYRNES CO.
25 BROADWAY NY NY
FOR EXPORT TO
N.C.O. CLUB (MONTEITH) & ANNEXES
NUREMBURG, GERMANY

QUANTITY	NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
8		5¢ JENNINGS SIN CHIEFS GUAR JP NO LITE 80-20		
8		10¢ " " " " " " " " "		
6		25¢ JENNINGS STR CHIEF GUAR JP NO LIGHT 80-20		

IN THE BILL OF LADING WRITE PHONE WHITEHALL 3-4740 FOR DELIVERY INSTRUCTIONS UPON RELEASING NEW YORK

NOTE: THIS IS AN ARMY ORDER AND IS NOT TO BE PROCESSED UNTIL WE TELL YOU.

NOTE- DUE TO THE SPECIAL REQUIREMENTS AND URGENCIES OF THE EXPORT TRADE, WE MUST INSIST ON YOUR IMMEDIATE ACKNOWLEDGEMENT OF THIS PURCHASE ORDER. PLEASE FORWARD ENCLOSED REPLY CARD AT ONCE.

FORM 97-1954

Purchase Order

MAY 20 1959

THIS NUMBER MUST APPEAR ON ALL INVOICES, PKGS., & CORRESPONDENCE RELATIVE TO THIS SHIPMENT.
NO. 10369

FROM: [illegible]

1009 E. Baltimore St.,
Baltimore 2, Md.

EAstern 7-5745 & 7-5746

TO: JENNINGS & CO.
430[illegible] N. LAKE ST.
CHICAGO, ILLINOIS

CHARGE NOTICE 5/21/59 LPC
CALL PRIOR TO SHIPPING

DATE MAY 19, 1959 WHEN SHIP SEE BELOW VIA ~~[illegible]~~

AIR CARGO COLLECT
SEABOARD WESTERN

SHIP TO W.J.BYRNES CO.
25 SEC-D AVE NY NY
FOR EXPORT TO
U.S. ARMY HOTEL TRANSIT BILLETING
NURNBURG, GERMANY

QUANTITY	NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
2		STAR CHIEF 25¢ ~~[illegible]~~ NC LIGHTS CHAIR SP 80-20		
2		10¢ " " " " " " " "		
—		5¢ " " " " " " " "		
		Rose Gleeson		

IN THE BODY OF THE BILL OF LADING KITE PHONE [illegible] 3-4740 UPON [illegible] IN [illegible] YORK

NOTE: THIS IS AN [illegible] ORDER. WE DO NOT HAVE APPROVAL YET. PLEASE DO NOT PROCESS. WE WILL LET YOU KNOW [illegible].

NOTE - DUE TO THE SPECIAL REQUIREMENTS AND URGENCIES OF THE EXPORT TRADE, WE MUST INSIST ON YOUR IMMEDIATE ACKNOWLEDGEMENT OF THIS PURCHASE ORDER. PLEASE FORWARD ENCLOSED REPLY CARD AT ONCE.

FORM 971625

Purchase Order

THIS NUMBER MUST APPEAR ON ALL INVOICES, PKGS., & CORRESPONDENCE RELATIVE TO THIS SHIPMENT.

NO. ~~EXPORT~~ 25-5-1

FROM: MOT-O-MATIC INCORPORATED

1009 E. Baltimore St., Baltimore 2, Md.

EAstern 7-5745 & 7-5746

MAY 27 1959

TO: JENNINGS & CO.
4309 W. LAKE ST.
CHICAGO, ILLINOIS

DATE MAY 25, 1959 WHEN SHIP SEE BELOW VIA SEE BELOW

SHIP TO OFFICERS & CIVILIAN OPER 'ESS
U.S. ARMY EGN 286
MUNICH, GERMANY

QUANTITY	NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT
3		5¢ ELDORADO SUN CHIEFS		
2		10¢ " " "		
1		25¢ " " "		
		ASSORT THE PANEL COLORS 80-20 GUARANTEED JP		
		NO LIGHTS		

NOTE: THIS ORDER IS TO BE SHIPPED in EXACTLY 60-DAYS AFTER YOU SHIP OUR PURCHASE ORDER 00366. (00366 IS TO THE SAME PEOPLE AND THE ORDER WAS CUT DOWN TO 6 MACHINES ALL WITH GUARANTEED JACKPOTS.) PLEASE ADHERE TO THE ABOVE SHIPPING DATE. WHEN THE ORDER IS READY PLEASE CALL ME AND WE WILL TELL YOU HOW TO SHIP.

JOE.

NOTE- DUE TO THE SPECIAL REQUIREMENTS AND URGENCIES OF THE EXPORT TRADE, WE MUST INSIST ON YOUR IMMEDIATE ACKNOWLEDGEMENT OF THIS PURCHASE ORDER. PLEASE FORWARD ENCLOSED REPLY CARD AT ONCE.

CLASS OF SERVICE
This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION
TELEGRAM

COPY

W. P. MARSHALL, PRESIDENT

SYMBOLS
DL = Day Letter
NL = Night Letter
LT = International Letter Telegram

1201

The filing time shown in the date line on domestic telegrams is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

GTC83 PA 918

PBRA019 NL PD BALTIMORE MD 21 1959 MAY 21 PM 841

JENNINGS AND CO
4309 WESTLAKE ST CHCO

ORDERS CONFIRMED PROCESS ALL ORDERS IMMEDIATELY

MAR-MATIC

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE